



CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date below:

December 12, 2003
Date


Steven L. Highlander

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Timur YAROVINSKY

Serial No.: 09/871,607

Filed: May 31, 2001

For: TOPOISOMERASE ACTIVATED
OLIGONUCLEOTIDE ADAPTORS AND
USES THEREFOR

Group Art Unit: 1634

Examiner: C. Myers

Atty. Dkt. No.: IOWA:040US/SLH

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

BOX AF

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed August 27, 2003, finally rejecting claims 1,2,4-10,21 and 22.

The fee for filing this Notice of Appeal is \$165.00 and is attached hereto.

01/06/2004 MAHME1 00000056 501212 09871607

02 FC:2402 10.00 DA 155.00 OP

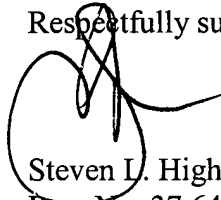
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Also, a request for a one-month extension of time to respond is included herewith. The extension fee is included in the attached check with the Notice of Appeal fee. This one-month extension will bring the due date to December 29, 2003 since December 27, 2003 fell on a Saturday. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/IOWA:040US/SLH.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,



Steven L. Highlander
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Date: December 29, 2003